

REMARKS

The Office Action mailed March 21, 2006 has been received and reviewed. Claims 31-51 are in the case. Claims 31-51 stand rejected under 35 U.S.C. § 112, second paragraph. Claims 31-34, 40-47, 49, and 50 stand rejected under 35 U.S.C. § 102(b). Claims 35-39, 48, and 51 stand rejected under 35 U.S.C. § 103(a).

For the reasons set forth below, claims 31-34, 36, and 38-51 are believed to be in condition for immediate allowance. Favorable reconsideration of the application in view of the following remarks, is therefore respectfully requested.

Rejection of Claims 31-51 Under 35 U.S.C. §112

Claims 31-51 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

With respect claims 31-34, 36, and 38-51, the independent claims (and dependent claims were applicable) have been amended to more particularly point out and distinctly claim the subject matter which Applicant regards as the invention. With respect to claims 35 and 37, they have been cancelled. Reconsideration is respectfully requested.

Rejection of Claims 31-34, 40-47, 49, and 50 Under 35 U.S.C. §102(b)

Claims 31-34, 40-47, 49, and 50 stand rejected under 35 U.S.C. §102(b) as being anticipated by Bradley.

For a prior art reference to anticipate, every element of the claimed invention must be identically disclosed in a single prior art reference; and those elements must be arranged or

connected together in a single reference in the same way as specified in the patent claim. Bradley cannot meet this test.

For example, with respect to claims 31-34, 40-47, 49, and 50, Applicant finds in Bradley no disclosure of positioning a support to directly and continuously contact the cargo hold and remove from the plurality of wheels at least a portion of the weight of the cargo, as required by Applicant. The Office Action is incorrect in stating that "Bradley teaches a support (O) "that is positioned to achieve that end." Support O is a hook holding the car down against the track when the car is tipped. As such, support O can only increase the load on the wheels. It cannot decrease that load as recited for Applicant's support. Thus, Bradley does not disclose every element of the referenced claims. Reconsideration is respectfully requested.

Rejection of Claims 35-39, 48, and 51 Under 35 U.S.C. §103(a)

Claims 35-39, 48, and 51 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Bradley in view of Propst, Bradley in view of Propst and Stinson, or Bradley in view of Winter.

To establish a *prima facie* case of obviousness, the prior art reference (or references when combined) must teach or suggest all the claim limitations. (See MPEP 2143.) The combinations do not meet this test.

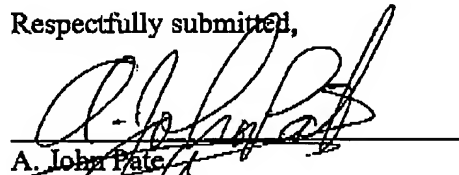
For example, as set forth hereinabove, Bradley does not teach or suggest positioning a support to directly and continuously contact the cargo hold and remove from the plurality of wheels at least a portion of the weight of the cargo, as required by Applicant. Similarly, Propst, Stinson, and Winter fail to teach or suggest positioning such a support. For example, Winter teaches impactor rams 16 striking the bottom of the trailer. Winter does not teach or suggest

continuous support, but contact that is a discontinuous striking. Moreover, the impactor rams 16 are not a support to off load the wheels as claimed by Applicant.

In the event that the examiner finds any remaining impediment to the prompt allowance of any of these claims, which could be clarified in a telephone conference, the examiner is respectfully urged to initiate the same with the undersigned.

DATED this 22nd day of May, 2006.

Respectfully submitted,


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